



I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as Express Mail, Account No. EV 596703625 US, on the date shown below in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: October 5, 2006

Signature:

(Rosemarie Puljc-Salmeron)

Docket No.: 282172000602

(PATENT)

Client Reference No.: 4900.20

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

David COOK et al.

Confirmation No.: 5306

Application No.: 10/803,109

Art Unit: 1651

Filed: March 17, 2004

Examiner: S. Saucier

For: METHODS FOR QUENCHING  
PATHOGEN INACTIVATORS IN  
BIOLOGICAL MATERIALS

### RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Restriction/Election of Species Requirement set forth in the non-final Office Action mailed September 5, 2006 (Paper No. 20060831), for which a response is due October 5, 2006. Accordingly this response is timely filed.

In response to the election requirement, Applicants hereby elect the following:

- For the “electrophilic group” Applicants elect “aziridinium ion”;
- For the “nucleophilic group,” Applicants elect “glutathione”; and
- For the “nucleic binding ligand,” Applicants elect “acridine derivatives.”

This election is made without traverse. Claims 1-20 are readable on the elected species.

Applicant's election is made without prejudice. As noted by the Examiner, upon the allowance of a generic claim, Applicant will be entitled to consideration of claims to not more than a reasonable number of species in addition to the elected species, provided that all claims to each additional species are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.146.

An action on the merits of all the claims and a Notice of Allowance thereof are respectfully requested.

Dated: October 5, 2006

Respectfully submitted,

By

Alicia J. Hager  
Registration No.: 44,140

MORRISON & FOERSTER LLP  
755 Page Mill Road  
Palo Alto, California 94304-1018  
(650) 813-4296